

JUDGE ZOOHARD Document 1-1 Filed 04/21/09 Page 1 of 2 CIVIL COVER SHEET 3:09CV00915

JS 44 (Rev. 12/07)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

FILED

| | | | |
|---|--|--|---|
| I. (a) PLAINTIFFS | | DEFENDANTS | |
| Franklin E Long | | Midland Credit Management, Inc. 2009 APR 21 PM 4:23 | |
| (b) County of Residence of First Listed Plaintiff <u>Hancock</u> (EXCEPT IN U.S. PLAINTIFF CASES) | | County of Residence of First Listed Defendant <u>CLERK'S DISTRICT COURT</u> <u>NORTHERN DISTRICT OF OHIO</u> TOLEDO | |
| (c) Attorney's (Firm Name, Address, and Telephone Number) Franklin E Long, Pro Se, 461 W Lytle St #130, Fostoria OH 44830, 567-245-0079 | | Atorneys (If Known) | |
| II. BASIS OF JURISDICTION (Place an "X" in One Box Only) | | III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) | |
| <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) | | PTF DEF Citizen of This State <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4 | |
| <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) | | Citizen of Another State <input type="checkbox"/> 2 <input checked="" type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State <input checked="" type="checkbox"/> 5 <input checked="" type="checkbox"/> 5 | |
| | | Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 3 Foreign Nation <input type="checkbox"/> 6 <input type="checkbox"/> 6 | |
| IV. NATURE OF SUIT (Place an "X" in One Box Only) | | | |
| CONTRACT | TORTS | | |
| | <input type="checkbox"/> 110 Insurance | PERSONAL INJURY | PERSONAL INJURY |
| <input type="checkbox"/> 120 Marine | <input type="checkbox"/> 310 Airplane | <input type="checkbox"/> 362 Personal Injury - Med. Malpractice | <input type="checkbox"/> 610 Agriculture |
| <input type="checkbox"/> 130 Miller Act | <input type="checkbox"/> 315 Airplane Product Liability | <input type="checkbox"/> 365 Personal Injury - Product Liability | <input type="checkbox"/> 620 Other Food & Drug |
| <input type="checkbox"/> 140 Negotiable Instrument | <input type="checkbox"/> 320 Assault, Libel & Slander | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 |
| <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment | <input type="checkbox"/> 330 Federal Employers' Liability | <input type="checkbox"/> 370 Other Fraud | <input type="checkbox"/> 630 Liquor Laws |
| <input type="checkbox"/> 151 Medicare Act | <input type="checkbox"/> 340 Marine | <input type="checkbox"/> 371 Truth in Lending | <input type="checkbox"/> 640 R.R. & Truck |
| <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) | <input type="checkbox"/> 345 Marine Product Liability | <input type="checkbox"/> 380 Other Personal Property Damage | <input type="checkbox"/> 650 Airline Regs. |
| <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits | <input type="checkbox"/> 350 Motor Vehicle | <input type="checkbox"/> 385 Property Damage | <input type="checkbox"/> 660 Occupational Safety/Health |
| <input type="checkbox"/> 160 Stockholders' Suits | <input type="checkbox"/> 355 Motor Vehicle Product Liability | <input type="checkbox"/> 390 Other Personal Injury | <input type="checkbox"/> 690 Other |
| <input type="checkbox"/> 190 Other Contract | <input type="checkbox"/> 360 Other Personal Injury | <input type="checkbox"/> 410 Voting | BANKRUPTCY |
| <input type="checkbox"/> 195 Contract Product Liability | <input type="checkbox"/> 441 Employment | <input type="checkbox"/> 510 Motions to Vacate Sentence | <input type="checkbox"/> 422 Appeal 28 USC 158 |
| <input type="checkbox"/> 196 Franchise | <input type="checkbox"/> 443 Housing/ Accommodations | Habeas Corpus: | <input type="checkbox"/> 423 Withdrawal 28 USC 157 |
| REAL PROPERTY | CIVIL RIGHTS | PRISONER PETITIONS | PROPERTY RIGHTS |
| <input type="checkbox"/> 210 Land Condemnation | <input type="checkbox"/> 444 Welfare | <input type="checkbox"/> 530 General | <input type="checkbox"/> 820 Copyrights |
| <input type="checkbox"/> 220 Foreclosure | <input type="checkbox"/> 445 Amer. w/Disabilities - Employment | <input type="checkbox"/> 535 Death Penalty | <input type="checkbox"/> 830 Patent |
| <input type="checkbox"/> 230 Rent Lease & Ejectment | <input type="checkbox"/> 446 Amer. w/Disabilities - Other | <input type="checkbox"/> 540 Mandamus & Other | <input type="checkbox"/> 840 Trademark |
| <input type="checkbox"/> 240 Torts to Land | <input type="checkbox"/> 440 Other Civil Rights | <input type="checkbox"/> 550 Civil Rights | SOCIAL SECURITY |
| <input type="checkbox"/> 245 Tort Product Liability | | <input type="checkbox"/> 555 Prison Condition | <input type="checkbox"/> 710 Fair Labor Standards Act |
| <input type="checkbox"/> 290 All Other Real Property | | | <input type="checkbox"/> 720 Labor/Mgmt. Relations |
| | | | <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act |
| | | | <input type="checkbox"/> 740 Railway Labor Act |
| | | | <input type="checkbox"/> 790 Other Labor Litigation |
| | | | <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act |
| | | | IMMIGRATION |
| | | | <input type="checkbox"/> 462 Naturalization Application |
| | | | <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee |
| | | | <input type="checkbox"/> 465 Other Immigration Actions |
| | | | FEDERAL TAX SUITS |
| | | | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) |
| | | | <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609 |
| V. ORIGIN | (Place an "X" in One Box Only) | | |
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened |
| | <input type="checkbox"/> 5 Transferred from another district (specify) | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment |
| Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): U.S.C. § 1681p and 1692(d) | | | |
| VI. CAUSE OF ACTION Brief description of cause: FDCPA, FCRA, and OCSPA violations | | | |
| VII. REQUESTED IN COMPLAINT: | | DEMAND \$ 30,000.00 | CHECK YES only if demanded in complaint: JURY DEMAND: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| VIII. RELATED CASE(S) IF ANY | | (See instructions): JUDGE DOCKET NUMBER | |
| DATE | SIGNATURE OF ATTORNEY OF RECORD | | |
| 4-20-09 |  | | |
| FOR OFFICE USE ONLY | | | |
| RECEIPT # | AMOUNT | APPLYING IFP | JUDGE |
| | | | MAG. JUDGE |

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

I.

Civil Categories: (Please check one category only).

1. General Civil
2. Administrative Review/Social Security
3. Habeas Corpus Death Penalty

*If under Title 28, §2255, name the SENTENCING JUDGE:

CASE NUMBER:

II.

RELATED OR REFILED CASES. See LR 3.1 which provides in pertinent part: "If an action is filed or removed to this Court and assigned to a District Judge after which it is discontinued, dismissed or remanded to a State court, and subsequently refiled, it shall be assigned to the same Judge who received the initial case assignment without regard for the place of holding court in which the case was refiled. Counsel or a party without counsel shall be responsible for bringing such cases to the attention of the Court by responding to the questions included on the Civil Cover Sheet."

This action is RELATED to another PENDING civil case. This action is REFILED pursuant to LR 3.1.

If applicable, please indicate on page 1 in section VIII, the name of the Judge and case number.

III.

In accordance with Local Civil Rule 3.8, actions involving counties in the Eastern Division shall be filed at any of the divisional offices therein. Actions involving counties in the Western Division shall be filed at the Toledo office. For the purpose of determining the proper division, and for statistical reasons, the following information is requested.

ANSWER ONE PARAGRAPH ONLY. ANSWER PARAGRAPHS 1 THRU 3 IN ORDER. UPON FINDING WHICH PARAGRAPH APPLIES TO YOUR CASE, ANSWER IT AND STOP.

(1) **Resident defendant.** If the defendant resides in a county within this district, please set forth the name of such county

COUNTY:

Corporation For the purpose of answering the above, a corporation is deemed to be a resident of that county in which it has its principal place of business in that district.

(2) **Non-Resident defendant.** If no defendant is a resident of a county in this district, please set forth the county wherein the cause of action arose or the event complained of occurred.

COUNTY:

(3) **Other Cases.** If no defendant is a resident of this district, or if the defendant is a corporation not having a principle place of business within the district, and the cause of action arose or the event complained of occurred outside this district, please set forth the county of the plaintiff's residence.

COUNTY: Hancock

IV. The Counties in the Northern District of Ohio are divided into divisions as shown below. After the county is determined in Section III, please check the appropriate division.

EASTERN DIVISION

- AKRON
 CLEVELAND
 YOUNGSTOWN

(Counties: Carroll, Holmes, Portage, Stark, Summit, Tuscarawas and Wayne)
(Counties: Ashland, Ashtabula, Crawford, Cuyahoga, Geauga, Lake, Lorain, Medina and Richland)
(Counties: Columbiana, Mahoning and Trumbull)

WESTERN DIVISION

- TOLEDO

(Counties: Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry, Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca, Van Wert, Williams, Wood and Wyandot)